



Instructions for filling out the Water Shortage Variance Forms

The following information is being provided to assist you in preparing an application for a variance from mandatory water shortage restrictions. The variance form is to be used only when an official water shortage order has been declared by the South Florida Water Management District (District).

Please answer all questions on the variance form as fully as possible. Completed variance applications should be sent to **Morris Rosen 4350**, SFWMD, P.O. Box 24680, West Palm Beach, FL 33416-4680, or by fax at **(561) 682-6442**, or via e-mail at **mrosen@sfwmd.gov**. The attached variance form can be found on the District's web page at: www.sfwmd.gov/curre/watshort/varInstructions.html.

The Rule on Variances from Water Shortage Orders can be found at Rule 40E-21.275, F.A.C. A copy of the entire rule on variances and water shortages can be found on our web site under legal forms. The following information is needed by the District in order to process and grant a request for a variance from Water Shortage Orders.

An application for variance will not be granted unless the applicant provides reasonable assurances that the variance requested will not be harmful to the water resources of the District and demonstrates that one or more of the following circumstances exists:

- (a) The variance is essential to protect health or safety, or
- (b) Compliance with a particular restriction in the Order will require measures which, because of their extent or cost, cannot be accomplished within the anticipated duration of the shortage, or
- (c) Alternative restrictions which achieve the same level of demand reduction as the restrictions from which a variance is sought are available and are binding and enforceable, or
- (d) The applicant is a public or private utility that demonstrates that special circumstances exist which necessitate the issuance of a variance, or
- (e) The applicant's source of water includes an approved aquifer storage and recovery installation or a water reclamation project.

If an Applicant meets the above criteria and a variance is granted – the variance shall be subject to the following conditions, unless waived or modified by the Board.

- (a) The variance granted shall be the minimum necessary to alleviate the circumstances for which the variance was requested.

(b) Duration of Variance: All variances shall expire upon a declaration by the Board that a water shortage no longer exists or when a more restrictive water shortage declaration is made, unless the Board specifies that the variance shall be in effect for a longer period of time, provided however that variance conditions which require the applicant to modify water use facilities shall remain in full force and effect until such modifications have been completed. However, when a new application for variance is filed within seven working days of the effective date of a more restrictive water shortage declaration, the existing variance shall remain in effect until final agency action on the application.

Variances may prescribe a timetable for compliance with the restrictions from which a variance was sought.

In addition to the variance application, please provide:

- 1) A site map showing each irrigation zone, and**
- 2) A list of withdrawal pumps, the attendant irrigation zones for each pump, and the petitioner's proposal for irrigation times/days for each zone based upon a maximum of 20 minutes of irrigation per zone and, in the case of analog time clocks, a 10 minute reset period between each zone.**

Pursuant to Rule 40E-21.275, Florida Administrative Code

A. Name: _____ 24 hour contact phone #: (____) _____

B. Location of property for which relief is being requested if different from above:

C. SFWMD Permit Number: _____ Project Name: _____

D. Specific rule, order, water shortage phase or restriction from which relief is requested: _____

E. Description of relief requested: _____

F. Facts supporting this request: (be as specific as possible) _____

G. Period of time for which variance is sought and the reasons and facts for such: _____

H. Damage or harm which may result from compliance with the Water Shortage Rule or order:

I. If restrictions cannot be met because of extent or cost, describe measures necessary to meet all restrictions, restrictions which can be met, and the date of compliance: _____

J. If this request is for a golf course which is unable to meet the front nine-back nine requirements, submit a map showing the proposed alternative division of the course in half and an explanation of the proposed irrigation scheme.

Name	Signature	Date
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..... For District Use Only.....

Date Received: _____ Date Application Complete: _____ Control No: _____

Compliance Yes _____ No _____
Form Sent _____ Received _____